

REMARKS

Following the latest Office communication, Claims 127-133 and 138-175 remain pending in the application. Applicants affidavit filed November 19, 2008 was deemed sufficient to overcome the Hardacker reference (US PGPub 2002/0115454); however, Claims 134-137 continue to stand rejected under 35 U.S.C. §102(e) as being anticipated by Hardacker (US Pub. 2002/0115454) and could not be overcome by Applicants declaration. Applicant thanks Examiner for fully considering the affidavit.

Claims 127-131, 133, 138-142, 144-148, 150-155, 157-161, 163-167 and 169-175 now stand rejected under 35 U.S.C. 102(e) as being anticipated by Verna (US Patent 6,681,398). Claims 132, 143, 149, 156, 162 and 168 also stand rejected under 35 U.S.C. §103 as being unpatentable over Verna (US Patent 6,681,398).

Claims 127, 134, 138, 139, 145, 151, 164, 165, 170, 171, 172 and 175 have all been amended. Applicants respectfully request reconsideration of the rejections to claims 127-175 in light of these amendments and the following remarks.

Claim amendments.

Independent claims 127 and 134 have been amended to more specifically provide that Applicants' invention uses "hand held devices including video- and data-enabled cellular telephone and PDA capabilities and authorized to receive and process said in-play camera view." Furthermore, it is made clear that in-play camera views are transmitted from at least one in-play camera located at an in-play camera location within an entertainment venue "over a cellular telecommunications network for viewing by handheld devices including video- and data-enabled cellular telephone and PDA capabilities and authorized to receive and process said in-play camera view." Independent claims 138, 145, 151, 164, 170 and 175 have been amended to more specifically provide and claim the use of "a hand held device including video- and data-enabled cellular telephones and PDA capabilities, 802.11 wireless capabilities and authorized by at least one security code to receive in-play camera views and adapted to display in-play camera views." Page 20, Lines 19-28, and page 64, lines 19-25, provide direct support for Applicants' claim amendments.

Verna does teach or suggest cellular telephones including PDA features and having video and data capabilities. Verna also does not teach that hand held devices including video- and data-enabled cellular telephone and PDA capabilities or including video- and data-enabled

cellular telephones and PDA capabilities, 802.11 wireless capabilities can receive venue data including video over telecommunications networks or 802.1x wireless local area networks. Verna's hand held devices are proprietary in nature and are limited in venue data processing receiving and processing capabilities when compared to the teachings by Applicants and the invention as claimed. Modern devices such as Apple® iPhones® and Google® Android® phones like the G1 ® are the very devices contemplated for ultimate use by Applicants' system as described and now claimed. Such devices have both cellular and WiFi wireless data and video capabilities. Verna's devices do not. Systems are now becoming available that utilize hand held devices including cellular and WiFi capabilities to view venue entertainment data. Proprietary systems like Verna's are also available, but are losing market share.

Verna does not teach a system or hand held devices interoperating as taught and claimed by Applicants. For these reason, the rejections are respectfully traversed.

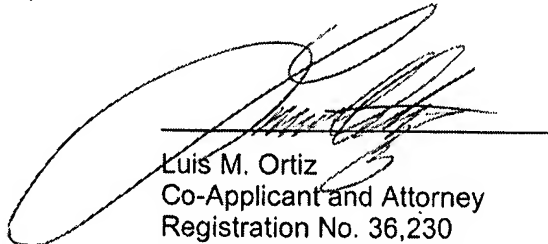
Conclusion.

Applicants submit that the pending claims in a condition for allowance. Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 based on the attached declaration and exhibits. Therefore, a Notice of Allowance is respectfully requested.

The Examiner is respectfully requested to contact the undersigned representative to conduct an interview in an effort to expedite prosecution in connection with the present application should there be any outstanding matters that need to be resolved in the present application.

Respectfully submitted,

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